



## UNANTICIPATED DISCOVERY OF CULTURAL RESOURCES AND HUMAN SKELETAL REMAINS

Portage Creek Village PROJECT, CITY OF ARLINGTON, WASHINGTON

### 1. INTRODUCTION

Mary Carey \_\_\_\_\_ plans to construct the Portage Creek Village project. The purpose of this project is to Construct 17 units of multifamily housing and associated sitework. The following Unanticipated Discovery Plan (UDP) outlines procedures to follow, in accordance with state and federal laws, if archaeological materials or human remains are discovered.

### 2. RECOGNIZING CULTURAL RESOURCES

A cultural resource discovery could be prehistoric or historic. Examples include:

- An accumulation of shell, burned rocks, or other food related materials
- Bones or small pieces of bone,
- An area of charcoal or very dark stained soil with artifacts,
- Stone tools or waste flakes (i.e. an arrowhead, or stone chips),
- Clusters of tin cans or bottles, logging or agricultural equipment that appears to be older than 50 years,
- Buried railroad tracks, decking, or other industrial materials.

When in doubt, assume the material is a cultural resource.

### 3. ON-SITE RESPONSIBILITIES

STEP 1: STOP WORK. If any \_\_\_\_\_ employee, contractor or subcontractor believes that he or she has uncovered a cultural resource at any point in the project, all work adjacent to the discovery must stop. The discovery location should be secured at all times.

STEP 2: NOTIFY MONITOR. If there is an archaeological monitor for the project, notify that person. If there is a monitoring plan in place, the monitor will follow its provisions.

STEP 3: NOTIFY PROJECT MANAGEMENT AND CULTURAL RESOURCES PROGRAM. Contact the Project Manager and the Cultural Resources (CR) Program Manager:

Project Manager:

Name:

Number:

Email:

If you can't reach the CR Program manager, contact your project's assigned Cultural Resources Specialist or an alternate:

Assigned CR Specialist:

Name: Kerry Lyste

Number: 360-657-3687 ext 14

Email: [klyste@stillaguamish.com](mailto:klyste@stillaguamish.com)

Alternate CR Specialist:

Name: Tara Duff

Number: 360-652-7362 ext 226

Email: [tduff@stillaguamish.com](mailto:tduff@stillaguamish.com)

The Project Manager or the Cultural Resources Program will make all other calls and notifications.

If human remains are encountered, treat them with dignity and respect at all times. Cover the remains with a tarp or other materials (not soil or rocks) for temporary protection in place and to shield them from being photographed. Do not call 911 or speak with the media.

#### **4. FURTHER CONTACTS AND CONSULTATION**

##### **A. Project Manager's Responsibilities:**

- Protect Find: The Project Manager is responsible for taking appropriate steps to protect the discovery site. All work will stop in an area adequate to provide for the total security, protection, and integrity of the resource. Vehicles, equipment, and unauthorized personnel will not be permitted to traverse the discovery site. Work in the immediate area will not resume until treatment of the discovery has been completed following provisions for treating archaeological/cultural material as set forth in this document.
- Direct Construction Elsewhere On-site: The Project Manager may direct construction away from cultural resources to work in other areas prior to contacting the concerned parties.
- Contact CR Manager: If the CR Program Manager has not yet been contacted, the Project Manager will do so.

##### **B. Project Manager's Responsibilities:**

- Identify Find: The Project Manager (or a CR Specialist if so delegated), will ensure that a qualified professional archaeologist examines the find to determine if it is archaeological.
  - If it is determined not archaeological, work may proceed with no further delay.
  - If it is determined to be archaeological, the CR Manager or CR Specialist will continue with notification.
  - If the find may be human remains or funerary objects, the CR Manager or CR Specialist will ensure that a qualified physical anthropologist examines the find. If it is determined to be human remains, the procedure described in Section 5 will be followed.
- Notify DAHP: The Project Manager (or a CR Specialist if so delegated) will contact the involved federal agencies (if any) and the Department of Archaeology and Historic Preservation (DAHP).
- Notify Tribes: If the discovery may relate to Native American interests, the Manager or Specialist will also contact the project's Tribal Liaison, or, if the project is not assigned a Liaison, the Executive Tribal Liaison.

Federal/State Agencies:

Agency: Dept of Natural Resources  
 Name: Steve Ranten  
 Title: NW Region Forest Practice  
 Coordinator  
 Number: 360-854-2855  
 Email: steven.ranten@dnr.wa.gov

Department of Archaeology and Historic Preservation:

Dr. Allyson Brooks  
 State Historic Preservation Officer  
 360-586-3066

Tribal Liaisons:

Project Tribal Liaison  
 Name: Stephanie Kramer  
 Number: 360-586-3083  
 Email: Stephenie.Kramer@dahp.wa.gov

The Tribal Liaison, or CR Program Manager or Specialist, will contact the interested and affected Tribes.

Tribes consulted on this project are:

Tribe: Stillaguamish Tribe of Indians

Name: Shawn Yanity

Title: Tribal Chair

Number: 360-652-7362

Email: syanity@stillaguamish.com

### C. Further Activities

- Archaeological discoveries will be documented as described in Section 6.
- Construction in the discovery area may resume as described in Section 7.

## **5. SPECIAL PROCEDURES FOR THE DISCOVERY OF HUMAN SKELETAL MATERIAL**

Any human skeletal remains, regardless of antiquity or ethnic origin, will at all times be treated with dignity and respect.

If the project occurs on federal lands (e.g., national forest or park, military reservation) the provisions of the Native American Graves Protection and Repatriation Act of 1990 apply, and the responsible federal agency will follow its provisions. Note that state highways that cross federal lands are on an easement and are not owned by the state.

If the project occurs on non-federal lands, <sup>Mary Carey</sup> \_\_\_\_\_ will comply with applicable state and federal laws, and the following procedure:

### A. Notify Law Enforcement Agency or Medical Examiner's Office:

City of Arlington Police Department: (360) 403-3400

In addition to the actions described in Sections 3 and 4, the Project Manager will immediately notify the local law enforcement agency or medical examiner's office.

The medical examiner (with assistance of law enforcement personnel) will determine if the remains are human, whether the discovery site constitutes a crime scene, and will notify DAHP.

Agency: **SNOHOMISH COUNTY MEDICAL EXAMINER**

Number: (425) 438-6200

B. Participate in Consultation:

Per RCW 27.44.055, RCW 68.50, and RCW 68.60, DAHP will have jurisdiction over non-forensic human remains. City of Arlington personnel will participate in consultation.

C. Further Activities:

- Documentation of human skeletal remains and funerary objects will be agreed upon through the consultation process described in RCW 27.44.055, RCW 68.50, and RCW 68.60.
- When consultation and documentation activities are complete, construction in the discovery area may resume as described in Section 7.

## **6. DOCUMENTATION OF ARCHAEOLOGICAL MATERIALS**

Archaeological deposits discovered during construction will be assumed eligible for inclusion in the National Register of Historic Places under Criterion D until a formal Determination of Eligibility is made.

Cultural Resources Program staff will ensure the proper documentation and assessment of any discovered cultural resources in cooperation with the federal agencies (if any), DAHP, affected tribes, and a contracted consultant (if any).

All prehistoric and historic cultural material discovered during project construction will be recorded by a professional archaeologist on State of Washington cultural resource site or isolate form using standard techniques. Site overviews, features, and artifacts will be photographed; stratigraphic profiles and soil/sediment descriptions will be prepared for subsurface exposures. Discovery locations will be documented on scaled site plans and site location maps.

Cultural features, horizons and artifacts detected in buried sediments may require further evaluation using hand-dug test units. Units may be dug in controlled fashion to expose features, collect samples from undisturbed contexts, or interpret complex stratigraphy. A test excavation unit or small trench might also be used to determine if an intact occupation surface is present. Test units will be used only when necessary to gather information on the nature, extent, and integrity of subsurface cultural deposits to evaluate the site's significance. Excavations will be conducted using state-of-the-art techniques for controlling provenience.

Spatial information, depth of excavation levels, natural and cultural stratigraphy, presence or absence of cultural material, and depth to sterile soil, regolith, or bedrock will be recorded for each probe on a standard form. Test excavation units will be recorded on unit-level forms, which include plan maps for each excavated level, and material type, number, and vertical provenience (depth below surface and stratum association where applicable) for all artifacts recovered from the level. A stratigraphic profile will be drawn for at least one wall of each test excavation unit.

Sediments excavated for purposes of cultural resources investigation will be screened through 1/8-inch mesh, unless soil conditions warrant 1/4-inch mesh.

All prehistoric and historic artifacts collected from the surface and from probes and excavation units will be analyzed, catalogued, and temporarily curated. Ultimate disposition of cultural materials will be determined in consultation with the federal agencies (if any), DAHP, and the affected tribes.

Within 90 days of concluding fieldwork, a technical report describing any and all monitoring and resultant archaeological excavations will be provided to the Project Manager, who will forward the report to the City of Arlington for review and delivery to the federal agencies (if any), SHPO, and the affected tribe(s).

If assessment activity exposes human remains (burials, isolated teeth, or bones), the process described in Section 5 above will be followed.

## **7. PROCEEDING WITH CONSTRUCTION**

Project construction outside the discovery location may continue while documentation and assessment of the cultural resources proceed. The City of Arlington or other City representative, must determine the boundaries of the discovery location. In consultation with DAHP and affected tribes, Project Manager and Cultural Resources Program staff will determine the appropriate level of documentation and treatment of the resource. If federal agencies are involved, the agencies will make the final determinations about treatment and documentation.

Construction may continue at the discovery location only after the process outlined in this plan is followed and City of Arlington (and the federal agencies, if any) determine that compliance with state and federal laws is complete.